

On January 10, 1942, the United States attorney for the Western District of Washington filed a libel against 16 cases of walnut meats at Tacoma, Wash., alleging that the article had been shipped in interstate commerce on or about December 8, 1941, by A. W. Johnson from Portland, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Case) "W. W. Sims Salem Oreg * * * Bakers Walnut Meats."

On March 30, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8191. Adulteration of walnut meats. U. S. v. 3 Bags of Walnuts. Default decree of condemnation and destruction. (F. D. C. No. 6751. Sample No. 85317-E.)

Examination of this product showed the presence of moldy and rancid nuts.

On January 22, 1942, the United States attorney for the District of Idaho filed a libel against 3 50-pound bags of walnuts at Boise, Idaho, alleging that the article had been shipped in interstate commerce on or about January 9, 1942, by Wylie & Son from Eugene, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On March 4, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8192. Adulteration of shredded coconut. U. S. v. 5 Barrels of Shredded Coconut. Default decree of condemnation. Product ordered distributed to charitable institutions. (F. D. C. No. 6806. Sample No. 67686-E.)

This product was found to contain mineral oil.

On February 3, 1942, the United States attorney for the Western District of Tennessee filed a libel against 5 barrels of shredded coconut at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about December 15, 1941, by Pure Food Products, Inc., from Dallas, Tex.; and charging that it was adulterated in that mineral oil, a nonnutritive substance, had been substituted in part therefor; and in that mineral oil, a nonnutritive substance, had been added thereto and mixed and packed therewith so as to reduce its quality. The article was labeled in part: "Monsantu Brand Fancy Shred Coconut Prepared with Sugar, Oil and Salt."

On April 7, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered distributed to charitable institutions.

8193. Adulteration and misbranding of peanut butter. U. S. v. 50 Cases and 25 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 6862. Sample No. 83361-E.)

This product contained dirt, and a portion was also short weight.

On February 12, 1942, the United States attorney for the Eastern District of Louisiana filed a libel against 50 cases each containing 24 6-ounce jars and 25 cases each containing 24 12-ounce jars of peanut butter at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about January 28, 1942, by Sessions Co., Inc., from Enterprise, Ala.; and charging that it was adulterated and that a portion was also misbranded. It was labeled in part: "Goldcraft Peanut Butter."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy substance.

A portion of the article was alleged to be misbranded in that the statement "Net Wt. 12 Ozs." was false and misleading as applied to an article that was short weight; and in that it was in package form and did not bear a label containing an accurate statement of the quantity of contents.

On March 25, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

OLIVE OIL

8194. Adulteration and misbranding of olive oil. U. S. v. 55 Cartons of Olive Oil. Default decree of condemnation and destruction. (F. D. C. No. 5801. Sample Nos. 74701-E to 74704-E, incl.)

This product consisted essentially of an artificially flavored and artificially colored imitation olive oil.

On or about September 29, 1941, the United States attorney for the District of New Jersey filed a libel against 55 cartons of olive oil at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about August 26 and 30, 1941, by John Gatto from Brooklyn, N. Y.; and charging that it was

adulterated and misbranded. It was labeled in part variously: "Superfine Olive Oil A. Sasso Brand"; "Roberta Brand Pure Olive Oil"; "Puglia Brand Superfine Pure Olive Oil"; "Italia Brand Supreme Olive Oil Imported."

The article was alleged to be adulterated (1) in that artificially flavored and artificially colored mixtures of cottonseed oil, two lots containing peanut or some other vegetable oil, and containing little or no olive oil, had been substituted wholly or in part for olive oil, which it purported to be; (2) in that inferiority had been concealed by the addition of artificial flavor and artificial color; and (3) in that artificial flavor and artificial color had been added thereto or mixed or packed therewith so as to make them appear better or of greater value than they were.

The article was alleged to be misbranded (1) In that the statements and designs (A. Sasso brand) "Superfine Olive Oil * * * Imported Product [design of an olive branch and olives] Pure Olive Oil Imported [and similar statements in Italian]"; (Roberta brand) "Pure Olive Oil Imported From Lucca Toscana Italy [design of olive branches, olives, and gold medals] This Olive Oil is guaranteed to be absolutely pure under chemical analysis and [similar statements in various foreign languages] Imported From Italy"; (Puglia brand) "Superfine Pure Olive Oil Imported From Lucca-Italy [design of olive branches and olives] This olive oil is guaranteed to be absolutely pure under any chemical analysis Recommended for table use and medicinal purposes [similar statements in Italian]"; (Italia brand) "Italia * * * Supreme Olive Oil Imported Lucca-Italia [design of gold medals, Italian flag, and olive branches] The purity of this olive oil is guaranteed under chemical analysis and we recommend it for table and medicinal uses [and similar statements in Italian] Imported Pure Olive Oil," were false and misleading as applied to an article of the composition disclosed. (2) In that it was offered for sale under the name of another food. (3) In that it was an imitation of another food and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated. (4) In that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor. (5) In that it contained artificial flavoring and artificial coloring and failed to bear labeling stating that fact.

On March 20, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

SACCHARINE PRODUCTS

CANDY

3195. Adulteration of candy. U. S. v. Bobs Candy & Pecan Co. Plea of nolo contendere. Fine, \$500. (F. D. C. No. 5529. Sample Nos. 37818-E to 37821-E, incl.)

Examination showed that this product contained insect and rodent hair fragments.

On December 9, 1941, the United States attorney for the Middle District of Georgia filed an information against Bobs Candy & Pecan Co., a corporation at Albany, Ga., alleging shipment on or about February 6 and 18, 1941, from the State of Georgia into the State of Florida, of quantities of candy that was adulterated. It was labeled in part "Bobs Mammoth Penny Ices," "Bobs Dutch Lunch," "Bobs Mammoth Penny Sticks Mint," or "Bobs Long Boy Penny Stick Mint."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On April 7, 1942, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$500.

3196. Adulteration of candy. U. S. v. George D. Dillon (George Dillon Candy Co.). Plea of nolo contendere. Fines, \$100. (F. D. C. No. 5532. Sample Nos. 37494-E, 37613-E.)

Examination showed that this product contained rodent hairs, insect fragments, and mites.

On December 20, 1941, the United States attorney for the Southern District of Florida filed an information against George D. Dillon, trading as George Dillon Candy Co. at Jacksonville, Fla., alleging shipment on or about January 21 and